

September 22, 2016

VIA ECFS

NOTICE OF EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: *Technology Transitions*, GN Docket No. 13-5; *AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition*, GN Docket No. 12-353; *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25; *Business Data Services in an Internet Protocol Environment*, WC Docket No. 16-143; *Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers*, RM-11358; *AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, RM-10593

Dear Ms. Dortch:

On September 20, 2016, Samuel Kline, Senior Vice President, Strategic Relations and Michael Galvin, General Counsel, of Granite Telecommunications, LLC (“Granite”), and I met with Matt DelNero, Madeleine Findley, and Dan Kahn of the Wireline Competition Bureau.

During the meeting, we advocated for an adjustment to the regulatory backstop for wholesale platform services adopted in the *Technology Transitions Order*.¹ Wholesale platform

¹ See *Technology Transitions*, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking, 30 FCC Rcd. 9372, ¶ 132 (2015) (adopting an interim rule that incumbent LECs seeking Section 214 authority to discontinue a TDM-based commercial wholesale platform service that is currently used as a wholesale input by competitive carriers must provide competitive carriers with reasonably comparable access on reasonably comparable rates, terms, and conditions). The Commission stated that this regulatory backstop would sunset upon the completion of the special access proceeding. *Id.* However, in the Further NPRM, the Commission acknowledged that a different sunset of the backstop as it applies to wholesale platform services may be appropriate. *Id.* ¶¶ 242, 244 (recognizing “that the special access proceeding will not address the status of commercial wholesale platform services such as AT&T’s Local Service Complete and Verizon’s Wholesale Advantage that include incumbent LEC loops, transport and local switching” and seeking comment on whether it would be “appropriate for the Commission to require reasonably comparable wholesale access for

services consist of the voice grade loops, switching, and transport facilities that Granite and other competitive carriers use to provide voice services to multi-location business customers. The incumbent LECs are the only source of these inputs in most multi-location business customer locations. The backstop for wholesale platform services is set to expire upon the completion of the Business Data Services proceeding, even though the termination of the Business Data Services proceeding is not the appropriate trigger for eliminating the backstop.

Accordingly, we explained that the Commission should affirmatively “delink” the wholesale platform services remedy from the Business Data Services proceeding and retain the regulatory backstop for wholesale platform services until the Commission completes an examination of the relevant market for wholesale voice platform services. We expressed the view that we would not expect incumbent LECs, other than perhaps AT&T, to oppose this change. Finally, we explained that the appropriate conclusion of the proceeding concerning the wholesale voice platform would be to ensure that the incumbent LECs charge just, reasonable, and not unjustly or unreasonably discriminatory rates for those services to wholesale customers.

Please do not hesitate to contact me if you have any questions or concerns regarding this submission.

Respectfully submitted,

/s/ Thomas Jones
Counsel for Granite Telecommunications, LLC

cc: Meeting participants

commercial wholesale platform services for a further interim period beyond completion of the special access proceeding”).